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|--|------------------------|---------------------|--|
| <b>Supplemental<br/>Notice of Allowability</b> | <b>Application No.</b> | <b>Applicant(s)</b> |  |
|  | 09/710,488             | WONG ET AL.         |  |
|  | <b>Examiner</b>        | <b>Art Unit</b>     |  |

Wilbert L. Starks, Jr.

2121

-- **The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1.  This communication is responsive to the amendment filed 06/17/2004.
2.  The allowed claim(s) is/are 1-20.
3.  The drawings filed on \_\_\_\_\_ are accepted by the Examiner.
4.  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a)  All    b)  Some\*    c)  None    of the:
    1.  Certified copies of the priority documents have been received.
    2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_ .
    3.  Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5.  A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6.  CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a)  including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1)  hereto or 2)  to Paper No./Mail Date \_\_\_\_\_.
  - (b)  including changes required by the attached Examiner's Amendment / Comment or in the Office action of
 Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7.  DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1.  Notice of References Cited (PTO-892)
2.  Notice of Draftsperson's Patent Drawing Review (PTO-948)
3.  Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4.  Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5.  Notice of Informal Patent Application (PTO-152)
6.  Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_ .
7.  Examiner's Amendment/Comment
8.  Examiner's Statement of Reasons for Allowance
9.  Other \_\_\_\_\_.

**DETAILED ACTION**

***Reasons For Allowance***

1. Claims 1-20 are allowed.

2. The following is an Examiner's statement of reasons for allowance:

The cited prior art taken alone or in combination fails to teach the claimed invention of ergonomic assessment, as claimed by Applicant. Specifically, independent claims 1, 3, and 16 disclose a communications network for communicating workplace information to the database and for communicating ergonomic assessments and recommendations to the workplace for implementation.

3. The closest prior art of Blasko et al (U.S. Patent Number 6,466,928 B1; dated 15 October 2002; class 706; subclass 046) teaches a business database, but fails to teach or suggest a communications network for communicating workplace information to the database and for communicating ergonomic assessments and recommendations to the workplace for implementation. To the extent that this feature does not exist in these claims, these independent claims (and their dependents) are held to be allowable over the prior art of record.

4. Independent claim 8 discloses breaking down at least one case into multiple problems if at least one existing case in the knowledge base is not substantially similar to at least one case of the client.

5. The closest prior art of Blasko et al (U.S. Patent Number 6,466,928 B1; dated 15 October 2002; class 706; subclass 046) teaches a business database, but fails to teach or suggest breaking down at least one case into multiple problems if at least one existing case in the knowledge base is not substantially similar to at least one case of the client. To the extent that this feature is not found in the prior art, the independent claim (and its dependents) are held to be allowable over the prior art of record.

### ***Conclusion***

6. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

7. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Wilbert L. Starks, Jr. whose telephone number is (571) 272-3691.

Alternatively, inquiries may be directed to the following:

|                                 |                       |
|---------------------------------|-----------------------|
| <b>S. P. E. Anthony Knight</b>  | <b>(571) 272-3687</b> |
| <b>After-final (FAX)</b>        | <b>(703) 746-7238</b> |
| <b>Official (FAX)</b>           | <b>(703) 746-7239</b> |
| <b>Non-Official/Draft (FAX)</b> | <b>(703) 746-7240</b> |

WLS

24 March 2005

*Wilbert L. Starks, Jr.*